



California Public Employees' Retirement System
Office of Enterprise Compliance
P.O. Box 942701
Sacramento, CA 94229-2701
TTY: (877) 249-7442
(916) 795-0485 phone • (916) 795-0660 fax
www.calpers.ca.gov

Agenda Item 4b

December 13, 2011

TO: MEMBERS OF THE FINANCE COMMITTEE

- I. **SUBJECT:** CalPERS Ethics Helpline Report
- II. **PROGRAM:** Compliance
- III. **RECOMMENDATION:** Information
- IV. **ANALYSIS:**

The CalPERS Ethics Helpline (Helpline) is available to all persons for reporting inappropriate or incompatible activities and conflicts of interest pertaining to CalPERS business. The CalPERS Ethics Helpline enables CalPERS to foster a business culture of integrity and compliance by facilitating the reporting and identification of issues and events. It reinforces CalPERS commitment to ethics, transparency, and accountability.

The helpline received 3 reports for the period of October 15, 2011, to November 15, 2011. The Office of Enterprise Compliance (ECOM) reviewed each report for the issues identified and directed reports to the appropriate channels for resolution. ECOM distributes the reports weekly to the Executive Officers and Division Chiefs of the impacted divisions. The status of each report is tracked with updates on resolution from the identified primary business line every two weeks. In some cases, the Legal Office and Office of Audit Services are provided secondary review of reports.

Reports dispatched from EthicsPoint are considered open until they have been reviewed by ECOM. After reports have been distributed to the appropriate divisions, they are considered pending until they are closed with a resolution.

CalPERS Ethics Helpline, Report Status Summary (Attachment A), contains a summary of the 154 reports received to date. EthicsPoint Helpline reporters are using both the EthicsPoint Website as well as its EthicsPoint call center. Members of the public filed 75 percent of the reports while CalPERS employees reported the remaining 25 percent. CalPERS anonymous reporting is 56 percent, which is moving away from the trend of other helplines EthicsPoint administers that average anonymous reporters 67 percent of the time. Previously reported items are marked in gray. To allow easy identification of reports received during the reporting period from October 15, 2011, to November 15, 2011, these reports are shown in white.

In the cumulative reporting period from September 13, 2010, to November 15, 2011, the average time a report was open is 37 days. A total of 92 out of 146 reports closed within 30 days of opening. The remaining 8 reports are of pending status awaiting resolution.

CalPERS Ethics Helpline, Report Data Graphs (Attachment B), reflect the issue types, reports by resolution, management implication, report intake method, and anonymity of the reporter. The “other” category on the data graph labeled “Report Intake Method” includes reports received via mail, e-mail, or by callers who contacted CalPERS directly rather than using the Helpline.

CalPERS Ethics Helpline, Report Resolution Chart (Attachment C), reflects the actions taken in the closed reports. It is the goal of CalPERS to resolve all reported issues as soon as possible. However, reports have different priority levels. Certain timelines for the required processes, which includes the audit cycle and process as well as personnel actions, may extend the timeframe for resolution of the reports.

The *Summary of Closed Substantiated Cases* (Attachment D) report reflects a brief summary of the disposition of substantiated cases. New closed substantiated cases are identified in italics.

The *Transmittal and Escalation Protocol for Ethics Helpline Issues and Allegations* was approved and is available upon request.

VI. STRATEGIC PLAN:

This is not a specific product of the Strategic Plan but is part of the regular and ongoing workload planned for the Office of Enterprise Compliance.

VII. RESULTS/COSTS:

N/A

TRACY WYATT
Ethics Helpline Monitor
Office of Enterprise Compliance

SHERI HOFER
Acting Chief Compliance Officer
Office of Enterprise Compliance

LARRY JENSEN
Chief Risk Officer
Office of Enterprise Risk Management